

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chairwoman Arlene Becker, on February 20, 2009 at 3:00 P.M., in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Arlene Becker, Chairwoman (D)
Rep. Mary Caferro, Vice Chairwoman (D)
Rep. Pat Ingraham, Vice Chairwoman (R)
Rep. Bill Beck (R)
Rep. Julie French (D)
Rep. Timothy Furey (D)
Rep. Chuck Hunter (D)
Rep. Dave McAlpin (D)
Rep. Michael More (R)
Rep. Pat Noonan (D)
Rep. Ken Peterson (R)
Rep. Diane Sands (D)
Rep. Cary Smith (R)
Rep. Ron Stoker (R)
Rep. Jeffery Welborn (R)

Members Excused: Rep. David Howard (R)

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary
Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 578, 2/9/2009; HB 616, 2/9/2009;
HJ 25, 2/9/2009; HJ 29, 2/9/2009

Executive Action: HB 292, HB 454, HB 409, HB 453,
HB 530, HB 516, HB 549, HB 596,
HB 578, HB 616, HB 399, HJ 25,
HJ 29

00:01:06 Chairwoman Becker asks Vice Chairwoman Ingraham to
serve as chair.

HEARING ON HJ 29

Opening Statement by Sponsor:

00:01:44 Rep. Arlene Becker (D), HD 52, opened the hearing on
HJ 29, Rheumatoid arthritis awareness day.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:06:01 Rep. Becker

00:06:20 Vice Chairwoman Ingraham closes the hearing on HJ 29,
and Rep. Becker resumes as Chairwoman.

HEARING ON HJ 25

Opening Statement by Sponsor:

00:06:30 Rep. Wendy Warburton (R), HD 34, opened the hearing on
HJ 25, Resolution for medicaid eligibility and
procedures study.

Proponents' Testimony:

00:12:21 Rose Hughes, Montana Health Care Association
[EXHIBIT\(huh40a01\)](#)

00:16:41 John Flink, Montana Hospital Association
[EXHIBIT\(huh40a02\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:18:11 Rep. Warburton

HEARING ON HB 578

Opening Statement by Sponsor:

00:19:22 Rep. Mary Caferro (D), HD 80, opened the hearing on HB 578, Health corps for in-home medical care.

Proponents' Testimony:

00:20:36 Alex Sirr, Physician

00:24:23 Andy Heiman, AARP Montana

[EXHIBIT\(huh40a03\)](#)

00:24:57 Linda Stahl, Montana Area Agency on Aging

Opponents' Testimony: None

Informational Testimony:

00:26:19 Al Smith, Montana Trial Lawyers Association

Questions from Committee Members and Responses:

00:28:22 Rep. McAlpin

00:28:39 Rep. Caferro

00:29:55 Rep. McAlpin

00:29:56 Dr. Sirr

00:31:49 Rep. Smith

00:32:07 Dr. Sirr

00:32:08 Rep. Smith

00:32:16 Dr. Sirr

00:33:39 Rep. Smith

00:34:13 Rep. Caferro

00:35:18 Rep. Hunter

00:36:03 Jeff Buska, Administrator, Quality Assurance Division,
Department of Public Health and Human Services

00:36:35 Rep. Hunter

00:37:07 Mr. Buska
00:37:38 Rep. Stoker
00:38:21 Dr. Sirr
00:38:32 Rep. Stoker
00:38:33 Dr. Sirr
00:38:43 Rep. Stoker
00:39:02 Dr. Sirr
00:39:05 Rep. Stoker
00:39:12 Dr. Sirr
00:39:56 Rep. Ingraham
00:40:27 Rep. Caferro
00:40:40 Rep. Ingraham
00:40:54 Rep. Caferro
00:41:17 Rep. Ingraham
00:41:51 Rep. Caferro
00:42:08 Rep. Ingraham
00:42:28 Rep. Caferro
00:42:53 Rep. Ingraham
00:43:32 Dr. Sirr
00:45:11 Rep. Stoker
00:45:20 Dr. Sirr
00:45:48 Rep. Beck
00:46:14 Dr. Sirr
00:46:20 Rep. Beck
00:46:40 Dr. Sirr
00:47:38 Rep. French
00:47:58 Mr. Buska
00:48:12 Rep. French
00:48:21 Mr. Buska
00:48:32 Rep. French
00:48:46 Mr. Buska
00:48:51 Rep. French
00:49:08 Mr. Buska
00:49:32 Rep. French
00:49:48 Mr. Buska
00:50:08 Rep. French
00:50:27 Rep. Caferro
00:50:52 Rep. French
00:50:57 Rep. Caferro
00:51:05 Rep. Peterson
00:53:05 Dr. Sirr
00:54:49 Rep. Hunter
00:55:27 Rep. Caferro
00:55:32 Rep. Hunter
00:55:54 Rep. Caferro

Closing by Sponsor:

00:56:11 Rep. Caferro
00:57:39 Rep. French

00:58:08 Rep. McAlpin
00:58:09 Chairwoman Becker
00:58:40 Rep. Sands

HEARING ON HB 616

Opening Statement by Sponsor:

00:58:50 Rep. Timothy Furey (D), HD 91, opened the hearing on
HB 616, Clarify Medicaid appeal process.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:00:28 Rep. Furey

01:00:42 Chairwoman Becker calls a recess.
01:17:13 Chairwoman Becker resumes meeting.

EXECUTIVE ACTION ON HB 616

01:17:31 **Motion:** Rep. Caferro moved that **HB 616 DO PASS.**
01:17:43 **Substitute Motion/Vote:** Rep. Peterson made a
substitute motion that **HB 616 BE TABLED.** Substitute
motion carried unanimously by voice vote. Rep. Howard
voted by proxy.

EXECUTIVE ACTION ON HB 409

01:18:29 **Motion:** Rep. Caferro moved that **HB 409 DO PASS.**
EXHIBIT (huh40a04)

Discussion:

01:19:33 Ms. O'Connell
01:20:23 **Motion:** Rep. Caferro moved that **HB 409 BE AMENDED.**
01:20:29 Rep. Caferro exited the room.

01:20:33 **Vote:** Motion carried unanimously by voice vote. Rep. Caferro and Howard voted by proxy.

01:21:04 **Motion:** Rep. Stoker moved that **HB 409 DO PASS AS AMENDED.**

01:21:12 **Motion:** Rep. Peterson moved that **HB 409 BE AMENDED.**

Discussion:

01:22:27 Rep. McAlpin
01:22:36 Rep. Peterson
01:23:22 Rep. McAlpin
01:23:34 Rep. Peterson
01:23:57 Rep. McAlpin
01:24:10 Rep. Peterson
01:24:25 Rep. McAlpin
01:24:43 Chairwoman Becker

01:25:19 **Vote:** Motion carried 10-6 by voice vote with Rep. Caferro, Rep. French, Rep. Furey, Rep. McAlpin, Rep. Noonan, and Rep. Sands voting no. Rep. Caferro and Howard voted by proxy.

01:26:04 **Motion:** Rep. Stoker moved that **HB 409 DO PASS AS TWICE AMENDED.**

Discussion:

01:26:43 Rep. French
01:27:07 Chairwoman Becker
01:27:10 Rep. French
01:27:16 Rep. Stoker
01:28:23 Rep. McAlpin
01:28:52 Rep. Furey
01:29:43 Rep. Sands

01:30:34 **Vote:** Motion carried 12-4 by roll call vote with Rep. Beck, Rep. Howard, Rep. Ingraham, and Rep. Stoker voting no. Rep. Caferro and Howard voted by proxy.

01:30:45 Rep. Caferro entered the room.

EXECUTIVE ACTION ON HB 453

01:31:55 **Motion:** Rep. Caferro moved that **HB 453 DO PASS.**

01:33:02 **Motion:** Rep. Noonan moved **HB 453 BE AMENDED.**

EXHIBIT (huh40a05)

01:33:51 **Vote:** Motion carried unanimously by voice vote. Rep. Howard voted by proxy.

01:34:07 **Motion/Vote:** Rep. Stoker moved that **HB 453 DO PASS AS AMENDED**. Motion carried 9-7 by voice vote with Rep. Beck, Rep. Howard, Rep. Ingraham, Rep. Peterson, Rep. Smith, Rep. Stoker, and Rep. Welborn voting no. Rep. Howard voted by proxy.

EXECUTIVE ACTION ON HB 530

01:35:49 **Motion:** Rep. Caferro moved that **HB 530 DO PASS**.

Discussion:

01:35:56 Chairwoman Becker
01:36:29 Mary McCue, National Association of Social Workers
01:38:55 Rep. Ingraham
01:39:48 Ms. McCue
01:41:04 Rep. French
01:41:30 Ms. McCue
01:42:42 Rep. French
01:43:01 Ms. McCue
01:43:42 Rep. McAlpin
01:44:04 Ms. McCue
01:44:28 Rep. Sands
01:45:05 Rep. Stoker
01:46:04 Ms. McCue
01:46:24 John Wilkinson, Licensed Clinical Social Worker
01:47:15 Rep. Stoker
01:47:30 Mr. Wilkinson
01:47:40 Rep. Stoker
01:47:57 Rep. Smith
01:48:08 Rep. Hunter
01:48:56 Rep. Peterson
01:49:39 Rep. French

01:50:01 **Vote:** Motion carried 15-1 with Rep. More voting no. Rep. Howard voted by proxy.

EXECUTIVE ACTION ON HB 549

01:51:02 **Motion:** Rep. Caferro moved that **HB 549 DO PASS**.
EXHIBIT (huh40a06)

Discussion:

01:51:49 Ms. O'Connell
01:52:43 Rep. French

01:52:46 Ms. O'Connell

01:53:03 **Motion/Vote:** Rep. Caferro moved that **HB 549 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Howard voted by proxy.

01:53:41 **Motion/Vote:** Rep. Caferro moved that **HB 549 DO PASS AS AMENDED**. Motion failed 8-8 by roll call vote with Rep. Beck, Rep. Howard, Rep. Ingraham, Rep. More, Rep. Peterson, Rep. Smith, Rep. Stoker, and Rep. Welborn voting aye. Rep. Howard voted by proxy.

EXECUTIVE ACTION ON HB 596

01:55:37 **Motion:** Rep. French moved that **HB 596 DO PASS**.

Discussion:

01:56:01 Rep. Smith

01:59:36 Rep. Peterson

01:59:43 Rep. More

02:01:34 Rep. Caferro

02:01:57 Rep. Peterson

02:02:57 **Vote:** Motion carried 8-8 by roll call vote with Rep. Beck, Rep. Howard, Rep. Ingraham, Rep. More, Rep. Peterson, Rep. Smith, Rep. Stoker, and Rep. Welborn voting no. Rep. Howard voted by proxy.

02:03:41 Rep. McAlpin

02:03:53 Chairwoman Becker calls a recess.

02:09:25 Chairwoman Becker resumes hearing.

EXECUTIVE ACTION ON HB 578

02:09:47 **Motion:** Rep. Caferro moved that **HB 578 DO PASS**.

02:10:07 **Motion:** Rep. Caferro moved that **HB 578 BE AMENDED**.
EXHIBIT(huh40a07)

Discussion:

02:11:01 Rep. Stoker

02:11:04 Rep. Caferro

02:11:27 **Vote:** Motion carried unanimously by voice vote. Rep. Howard voted by proxy.

02:11:47 **Motion:** Rep. Caferro moved that **HB 578 DO PASS AS AMENDED.**

Discussion:

02:11:54 Rep. Peterson
02:13:10 Rep. Caferro
02:14:01 Rep. Stoker
02:14:38 Rep. French
02:15:05 Rep. Ingraham
02:16:09 Rep. More
02:16:34 Rep. Beck
02:17:18 Rep. Welborn

02:17:31 **Vote:** Motion carried 13-3 by voice vote with Rep. Peterson, Rep. Smith, and Rep. Stoker voting no. Rep. Howard voted by proxy.

EXECUTIVE ACTION ON HB 399

02:18:17 **Motion:** Rep. Furey moved that **HB 399 DO PASS.**

Discussion:

02:22:46 Rep. Caferro
02:24:27 Rep. Peterson
02:24:33 Rep. Welborn exited the room.
02:25:03 Rep. Noonan
02:25:43 Rep. Hunter
02:26:53 Rep. Furey
02:28:11 Rep. Ingraham
02:29:50 Rep. More
02:31:38 Rep. Hunter
02:32:19 Rep. Smith
02:32:58 Rep. Hunter

02:33:24 **Vote:** Motion carried 9-7 by roll call vote with Rep. Beck, Rep. Howard, Rep. Ingraham, Rep. Peterson, Rep. Smith, Rep. Stoker, and Rep. Welborn voting no. Rep. Howard and Rep. Welborn voted by proxy.

EXECUTIVE ACTION ON HB 292

02:34:43 **Motion:** Rep. Caferro moved that **HB 292 DO PASS.**

02:35:19 **Motion:** Rep. Caferro moved that **HB 292 BE AMENDED.**
EXHIBIT(huh40a08)

Discussion:

02:35:37 Ms. O'Connell
02:36:36 Rep. Sands
02:37:12 Rep. Henry
02:37:56 Rep. Sands
02:38:01 Chairwoman Becker

02:38:17 **Vote:** Motion failed 6-10 by voice vote with Rep. French, Rep. Furey, Rep. Hunter, Rep. McAlpin, Rep. Noonan, and Rep. Sands voting aye. Rep. Beck, Rep. Howard, and Rep. Welborn voted by proxy.

Discussion:

02:39:20 Rep. Smith
02:40:15 Rep. Stoker
02:40:48 Chairwoman Becker
02:41:00 Rep. Hunter

02:41:28 **Vote:** Motion failed 8-8 by roll call vote with Rep. Beck, Rep. Howard, Rep. Ingraham, Rep. More, Rep. Peterson, Rep. Smith, Rep. Stoker, and Rep. Welborn voting no. Rep. Beck, Rep. Howard, and Rep. Welborn voted by proxy.

EXECUTIVE ACTION ON HJ 25

02:42:56 **Motion/Vote:** Rep. Sands moved that **HJ 25 DO PASS.** Motion carried 13-3 by voice vote with Rep. Hunter, Rep. More, and Rep. Stoker voting no. Rep. Howard voted by proxy.

EXECUTIVE ACTION ON HJ 29

02:43:40 **Motion/Vote:** Rep. Caferro moved that **HJ 29 DO PASS.** Motion carried unanimously by voice vote. Rep. Howard voted by proxy.

02:44:13 Rep. Stoker

EXECUTIVE ACTION ON HB 454

02:45:04 **Motion:** Rep. Stoker moved that **HB 454 DO PASS.**

Discussion:

02:47:25 Rep. McAlpin
02:47:43 Rep. Caferro

02:48:22 Rep. Welborn

02:49:18 Rep. More

02:49:53 **Vote:** Motion failed 7-9 by roll call vote with Rep. Beck, Rep. Becker, Rep. Howard, Rep. Ingraham, Rep. More, Rep. Peterson, Rep. Smith, Rep. Stoker, and Rep. Welborn voting aye. Rep. Howard voted by proxy.

02:50:56 **Motion/Vote:** Rep. Stoker moved that **HB 454 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Rep. Howard voted by proxy.

EXECUTIVE ACTION ON HB 516

02:51:33 **Motion:** Rep. Caferro moved that **HB 516 DO PASS**.

Discussion:

02:51:41 Rep. McAlpin

02:52:17 Rep. Ingraham

02:53:01 Rep. Stoker

02:53:36 Rep. Peterson

02:54:04 Rep. Hunter

02:54:24 Rep. Sands

02:55:05 Rep. Peterson

02:55:13 Rep. Beck

02:55:57 **Vote:** Motion failed 6-10 by roll call vote with Rep. Caferro, Rep. French, Rep. Furey, Rep. Hunter, Rep. McAlpin, and Rep. Sands voting aye. Rep. Howard voted by proxy.

02:56:52 **Motion/Vote:** Rep. Sands moved that **HB 516 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Rep. Howard voted by proxy.

02:57:07 Rep. Stoker

02:57:36 Chairwoman Becker

ADJOURNMENT

02:57:52 Adjournment: 5:57 P.M.

Santella Baglivo, Secretary

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Additional Exhibits

Additional Documents:

EXHIBIT ([huh40aad.pdf](#))